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DRAFT FOR  
REVIEW ONLY  
Date: 7/5/09

FOR ALLEN COUNTY, KENTUCKY  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

CANCELLING P.S.C. KY. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

ALLEN COUNTY WATER DISTRICT  
(Name of Utility)

## RULES AND REGULATIONS

### **TARIFF/REGULATION AS TO "FEES" TO BE CHARGED TO DEVELOPERS FOR REINFORCING ALLEN COUNTY WATER DISTRICT'S INFRASTRUCTURE OUTSIDE A PROPOSED DEVELOPMENT MADE NECESSARY SOLELY TO PROVIDE WATER TO RESIDENTS INSIDE THE PROPOSED DEVELOPMENT:**

1. KRS 278.040(3) provides that the Public Service Commission of Kentucky may adopt reasonable regulations to implement provisions of KRS Chapter 278 and investigate the methods and practices of utilities to require them to conform to the laws of this state, and, to all reasonable rules, regulations, and orders of the Commission, not contrary to law;

2. KRS 278.280(2) provides that the Public Service Commission shall prescribe rules for the performance of any service or the furnishing of any commodity of the character furnished or supplied by the utility, and, on proper demand and tender of rates the utility shall furnish the commodity or render the service within the time and upon the conditions prescribed by the Rules:

See also Allen County Water District's Tariffs AE and AF.

3. Title 807 KAR 5:066, Section 11(3)(4)(5) and (6), provides as follows:

**SECTION 11(3)** "An applicant desiring an extension to a proposed real estate subdivision may be required to pay the entire cost of the extension. Each year, for a refund period of not less than ten (10) years, the utility shall refund to the applicant who paid for the extension a sum equal to the costs of fifty (50) feet of the extension installed for each new customer connected during the year whose service line is directly connected to the extension installed by the developer, and not to extensions of laterals therefrom. Total amount refunded shall not exceed the amount paid to the utility. No refund shall be made after the refund period ends.

**SECTION 11(4)** Nothing contained herein shall be construed to prohibit the utility from making extensions under different arrangements if such arrangements have received the prior approval of the commission.

DATE OF ISSUE \_\_\_\_\_  
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Month / Date / Year

ISSUED BY \_\_\_\_\_  
(Signature of Officer)

TITLE \_\_\_\_\_

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION  
IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

FOR ALLEN COUNTY, KENTUCKY  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

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RATES AND CHARGES

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**SECTION 11(5)** Nothing contained herein shall prohibit a utility from making as its expense greater extensions than herein prescribed, provided like free extensions are made to other customers under similar conditions. The conditions under which such extensions will be made shall be stated in the utility's filed tariff.

**SECTION 11(6)** Upon complaint to and investigation by the commission a utility may be required to construct extensions greater than fifty (50) feet upon a finding by the commission that such extension is reasonable and that an extension of fifty (50) feet or less is unreasonable under the circumstances."

4. It is the Allen County Water District's policy that the infrastructure costs of residential developments should be paid by the developer rather than by the existing customers of the utility. Most of the utility's distribution lines were designed and constructed to serve farms with infrequently interspaced residential lots. For purposes of this rule a lot is considered more residential than agricultural in nature if the lot is less than 15 acres.

**THEREFORE,** the Board of Commissioner of the Allen County Water District adopts the following tariff relative to the costs of modifying existing infrastructure outside a proposed development in order to provide water to residents inside a proposed development.

For the purpose of providing for the costs of modifying/reinforcing/improving the Allen County Water District's existing infrastructure (ie: water transmission lines, tanks, pumping equipment, etc) outside a proposed development and/or subdivision, made necessary solely in order to provide water service of required pressures to residences inside a proposed development and/or subdivision, the developer/owner of such proposed development will be required to pay the Allen County Water District a "FEE" equivalent to the entire costs of such modifications, reinforcements and improvements outside the proposed development.

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This Tariff applies to all newly developed Subdivisions/Developer installs, at its expense, and subject to approval of Allen County Water District, water transmission lines inside the development or subdivision which serves residence inside the development.

No Preliminary Plat will be signed until the developer has agreed in writing to pay the required "Fee," and receives approval from the Engineer for the Allen County Water District of the owners/developers plans and specifications for installation of water transmission lines inside the development. No final plat will be signed until the developer has paid the required Impact Fee and receives approval from the Allen County Water District of the owner/developer's completed installation of water transmission lines inside the subdivision.

The funds from these "Fees" shall be placed in an Escrow Account. These funds shall be used only for modifications, reinforcements and improvements outside the proposed development made necessary solely to provide water to the proposed development.

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